

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTE

2015 NOV 25 PM 2:35

APPLICANT(s): Schmitt, E.W.

SERIAL NO.: 10/526,723

ART UNIT: 2174

US PATENT & TRADEMARK  
OFFICE

FILING DATE: 3/4/05

EXAMINER: Pitaro, R.F.

TITLE: PACKAGING MACHINE WITH A DISPLACEMENT UNIT

ATTORNEY

DOCKET NO.: 785-012144-US (PAR)

Refund Section, Accounting Division, Office of Finance  
Mail Stop 16  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR REFUND TO DEPOSIT ACCOUNT

Sir:

Pursuant to 37 C.F. R. §1.26, Applicant, requests that the amount of \$400.00 be refunded to Deposit Account #16-1350. Applicant disputes the charge listed below:

7/22/05 10526723 785-012144-US (PAR) 1642 \$400.00

A copy of the Deposit Account statement is attached hereto.

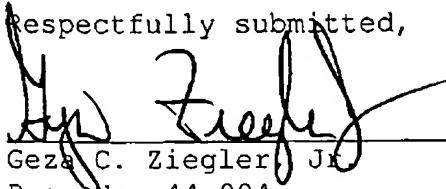
The charge should not have been made. A check had been mailed with the amount of \$500.00 for the search fee included, see attached check with calculation sheet. Thus, there is no basis for the charge.

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Accordingly the amount of \$400.00 should be refunded to Deposit  
Account #16-1350.

Respectfully submitted,

  
\_\_\_\_\_  
Geza C. Ziegler, Jr.  
Reg. No. 44,004


21 NOV 2005  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited  
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Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-  
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Date: 11/21/05

Signature:   
Person Making Deposit

MEMO

765-012144-US(PAR); EL980508115; Filing Fee Assign  
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3/4/05  
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765-012144-US(PAR)

DOCKET NUMBER

CHECK FOR \$ 1,040.00

Continued Patent Application (CPA) ☒  
New Application Transmittal ☒  
Certificate of Mailing ☒  
Specification ☒  
Claims ☒  
Abstract ☒  
Drawings ☒  
Decl. & POA ☒  
Assignment Cover Sheet ☒  
IDS ☒  
Form 1449 ☒  
References ☒  
Small Entity Form ☒  
Certified Copy & Transmittal ☒  
Preliminary Amendment of Time ☒  
Pet. & Fee For Extension of Time ☒  
OTHER: International Search Report  
TPER

Receipt is hereby acknowledged of the papers/fees as identified:

Commissioner of Patents & Trademarks

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO-1390 (Rev. 12-2004)  
Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/EP2003/009531

INTERNATIONAL FILING DATE  
28 August 2003

ATTORNEY'S DOCKET NUMBER  
785-012144-US (PAR)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

PRIORITY DATE CLAIMED  
6 September 2002

TITLE OF INVENTION  
PACKAGING MACHINE WITH A DISPLACEMENT UNIT

APPLICANT(S) FOR DO/EO/US  
SCHMITT, Ernst-Walter

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

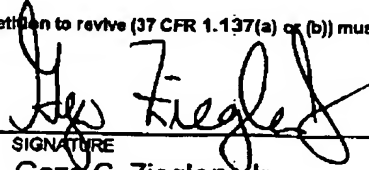
1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Cover page of WO 2004/022429 A1, International Search Report, German Search Report & IPER

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/009531</b>		ATTORNEY'S DOCKET NUMBER <b>785-012144-US (PAR)</b>	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee.....				\$300.00	\$ 300.00
<input checked="" type="checkbox"/> b) Examination fee.....				\$200.00	\$ 200.00
<input checked="" type="checkbox"/> c) Search fee.....				\$500.00	\$ 500.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1000.00</b>	<b>\$ 1000.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
12 - 100 =	0 / 50 =	0		x \$250.00	\$ 0
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total claims	10 - 20 =	0	x \$50.00		\$ 0
Independent claims	1 - 3 =	0	x \$200.00		\$ 0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00		\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$ 1,000.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$
<b>SUBTOTAL =</b>					<b>\$</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
<b>TOTAL NATIONAL FEE =</b>					<b>\$ 1,000.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$
<b>TOTAL FEES ENCLOSED =</b>					<b>\$ 1,000.00</b>
					Amount to be refunded: \$
					Amount to be charged: \$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,000.00</u> to cover the above fees is enclosed. * +\$40.00 for Assignment					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-1350</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Geza C. Ziegler, Jr. PERMAN & GREEN, LLP 425 Post Road Fairfield, CT 06824 (203)259-1800 Customer No. 2512					
SIGNATURE  Geza C. Ziegler, Jr.					
NAME 44,004					
REGISTRATION NUMBER					

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